

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

WILFREDO LORA,

Petitioner,

vs.

T.C. OUTLAW, et al.,

Respondents.

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Cv. No. 04-2923-B/P

ORDER REAFFIRMING CERTIFICATION APPEAL NOT TAKEN IN GOOD FAITH
ORDER DENYING MOTIONS TO PROCEED IN FORMA PAUPERIS ON APPEAL
AND
ORDER ASSESSING APPELLATE FILING FEE

On March 27, 2007, Petitioner Wilfredo Lora, Bureau of Prisons ("BOP") inmate registration number 42980-083, an inmate at the Federal Correctional Institution at Memphis, filed a notice of appeal from the Court's order denying his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. That order certified pursuant to Rule 24 of the Federal Rules of Appellate Procedure that any appeal would not be taken in good faith and that Lora may not appeal in forma pauperis.

On May 1, 2007, Lora filed two motions to proceed in forma pauperis on appeal. The Court reaffirms, for the reasons expressed in the order denying the original petition, that any appeal in this matter by Petitioner is not taken in good faith, and the motions to proceed on appeal in forma pauperis are DENIED.

Lora is obligated to pay the \$455 filing fee required by 28 U.S.C. §§ 1913 and 1917 within thirty days of the entry of this order.¹ Pursuant to Fed. R. App. P. 24(5), Lora must make any further requests to proceed on appeal in forma pauperis to the Sixth Circuit Court of Appeals

IT IS SO ORDERED this 16th day of May, 2007.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

¹ The fee for docketing an appeal is \$450. See Judicial Conference Schedule of Fees, ¶ 1, Note following 28 U.S.C. § 1913. Under 28 U.S.C. § 1917, a district court also charges a \$5 fee:

Upon the filing of any separate or joint notice of appeal or application for appeal or upon the receipt of any order allowing, or notice of the allowance of, an appeal or of a writ of certiorari \$5 shall be paid to the clerk of the district court, by the appellant or petitioner.